From: Los Angeles Association of Deputy District Attorneys
To: Daniel Cohen
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Courts, Rulings & Lawsuits

LA seeks dismissal of undercover officers' suits over released photos
Citing First Amendment grounds, the city of Los Angeles is seeking dismissal of two lawsuits collectively filed by hundreds of officers with sensitive assignments who allege their safety was affected by the mistaken release of department photographs in 2023 through the California Public Records Act. "The city acknowledges its error in producing these department photographs

and even filed a separate suit for return of such photos," the City Attorney's Office states in its anti-SLAPP motion filed Tuesday with Los Angeles Superior Court Judge David S. Cunningham III.
Westside Current

S.C. decision doesn't alter conclusion that immunity applies
The Court of Appeal for this district has, for the second time, upheld the scuttling of a wrongful-prosecution action against Santa Barbara County's District Attorney's Office and its Sheriff's Office, along with three individuals, holding, following a remand by the California Supreme Court for reconsideration in light of the high court's June 22 decision curbing governmental immunity, that the referenced case does not require reviving the lawsuit.
Metropolitan News-Enterprise

Change in DVRA's attorney-fee provision is retroactive, Court of Appeal declares
A woman who doused a man and his bed with water during a spat and had a domestic violence restraining order imposed on her was properly directed to pay his attorney fees in the amount of $6,000 under Family Code §6344 as it read at the time of the 2023 hearing on fees, not under its wording when the restraining order was issued in 2022, Div. Seven of this district's Court of Appeal held yesterday. Under the amended statute, fees must be awarded to a prevailing petitioner in a proceeding under the Domestic Violence Prevention Act "if appropriate based on the parties' respective abilities to pay."
Metropolitan News-Enterprise

California Supreme Court allows unmanageable PAGA claims to survive challenge
On 18 January 2024, the Supreme Court of California (Court) unanimously held that trial courts lack inherent authority to dismiss with prejudice claims brought under the Labor Code Private Attorneys General Act of 2004 (PAGA) for lack of manageability. The Court's conclusion rested primarily on differences in the structure and jurisprudential history of PAGA and class action claims. In addition, the Court concluded that PAGA defendants' due process rights are not violated by virtue of not striking unmanageable PAGA claims before trial.
K&L Gates Hub

US supreme court allows border patrol to cut razor wire installed by Texas
The Biden administration is allowed to cut the razor wire deployed by Texas at the border with Mexico, the US supreme court ruled on Monday. The concertina wire, deployed at the direction of the Republican Texas governor, Greg Abbott, runs roughly 30 miles (48km) along the Rio Grande river, near the border city of Eagle Pass. It is part of Abbott's broader fight with the Biden administration over immigration enforcement and what he calls "Biden's reckless open-border policies".
The Guardian

FBI breached search, privacy rights during safe deposit box seizure at self-storage facility
A Ninth Circuit appeals panel found Tuesday that a group of safe deposit box owners' Fourth Amendment rights against unreasonable search and seizure were violated when the FBI seized 700 safe deposit boxes at a self-storage facility in Beverly Hills during a raid in 2021. The FBI sought the safe deposit

boxes as part of its investigation into US Private Vaults, which it suspected of money laundering.
Courthouse News Service

Supreme Court declines to halt first US nitrogen-gas execution in Alabama case
The U.S. Supreme Court on Wednesday declined to halt Alabama from proceeding with the nation's first execution using nitrogen gas to carry out the death penalty on convicted murderer Kenneth Smith, who survived a botched lethal injection in 2022 that helped prompt a review of the state's death penalty procedures. The justices denied Smith's request to stay his execution, which is scheduled for Thursday, and declined to hear his legal challenge contending that a second execution attempt by Alabama - after the first failed attempt caused him severe trauma - would violate the U.S. Constitution's Eighth Amendment protections against cruel and unusual punishment.
Reuters

Prosecutors

DA's office weighing charges in deadly Watts crash involving LAPD officer
The Los Angeles County District Attorney's Office is weighing whether to file charges against a Los Angeles Police Department officer who struck and killed a pedestrian last month in Watts. On Dec. 8 around 5 p.m. the cruiser was driving east on Century Boulevard with the emergency lights activated when it struck a pedestrian who was running southbound across Century outside a crosswalk to the west of the intersection with McKinley Avenue.
ABC7 Los Angeles

Driver indicted in wrong-way crash into LA Sheriff's recruits jogging in South Whittier
A Diamond Bar man who crashed into a group of Los Angeles Sheriff's Department recruits on a training run in South Whittier has been indicted in the horrific November 2022 collision. Nicholas Joseph Gutierrez was arrested in the hours after the wrong-way crash that injured 25 recruits, but then released after authorities said more evidence was needed to file charges. He was re-arrested late last year.
NBC4 Los Angeles

DA's Race

Gascón faces fiery attacks at LA County District Attorney debate
Thursday night’s Los Angeles County District Attorney debate, while ostensibly an opportunity for candidates to present their platform, quickly became a competition to land the sharpest jab at current D.A. George Gascón. Nine of the 11 challengers running for office attended the debate and held no punches while expressing their dissatisfaction with the incumbent, whose progressive criminal justice reform policies have made him a polarizing figure in L.A. County politics.
Los Angeles Daily News

L.A. County District Attorney candidates pile on George Gascón in debate on leadership, crime & homelessness
Los Angeles magazine hosted 10 candidates last night running to become the next L.A. County District Attorney, including incumbent George Gascón, who

was central focus of just about everyone gathered on stage - including four of his own deputy district attorneys, who ripped into his job performance every chance they could. "This is an issue about leadership and the fact that George Gascon has not been a leader for us," said Deputy DA Maria Ramirez during the hour-and-a-half debate moderated by Fox LA anchor Elex Michaelson and Los Angeles politics writer Jon Regardie on Thursday evening.
Los Angeles Magazine

DA candidates debate
District Attorney George Gascón came under withering criticism during a debate in downtown Los Angeles Thursday night that featured 10 of the 12 candidates vying to be the county's top prosecutor. Gascón instituted a sweeping set of reforms after he was elected in 2020. Many of them focused on reducing penalties for people convicted of crimes. He said it was an effort to reduce mass incarceration and racial disparities in the criminal justice system.
LAist

It's time to select a new District Attorney
A criminal act can be characterized as when a person takes action for selfish benefit at the expense of another or that causes injury or suffering. Law enforcement responds to alleged criminal acts in the moment. Detectives and investigators gather evidence and build a case for the District Attorney's office for prosecution. The DA's office is the lynchpin that protects society by enforcing the law with prosecution. When criminal proceedings begin, it is a deputy DA who stands in "for the "people" and represents all of us.
The Signal

LA Times recommends keeping Los Angeles DA Gascon 'In Place'
On Sunday morning, the Los Angeles Times endorsed George Gascón in the District Attorney's race. Their justification? Voters should "reject the nonsense and keep Gascón on the job and criminal justice reform in place." The editorial board returned to that theme in their closing sentences. "Voters were right to pick him in 2020," they wrote. "They ought to keep him in place for another term." Notice that language: "Keep him in place."
LAADDA

Eric Siddall: My campaign for Los Angeles County district attorney
For the last 30 years, California's criminal justice system has veered from one policy extreme to the other, like a drunk driver careening down the highway. Each head-turning shift has been a disproportionate response to the one before. The "drug wars" and high crime days of the early 1990s gave us the Three Strikes law. Subsequent (and predictable) prison overcrowding led to Proposition 47 (2014), Proposition 57 (2016), and the let-'em-out, ignore-the-law-altogether policies (2020) of politicians like Los Angeles County District Attorney George Gascón.
Los Angeles Daily News

George Gascón: Why I should be reelected as district attorney of Los Angeles
I'd like to use this space to sort through some of the confusion on criminal justice reform and my work as district attorney of Los Angeles County, despite what you'll hear on social media and from my opponents. Wading through misinformation and political rhetoric is never easy - especially right now in America - but it's necessary so people can to make whatever informed decision at the ballot box aligns with their values.

San Gabriel Valley Tribune

Jeff Chemerinsky: The simple reality is that George Gascón has failed as District Attorney
I am running for Los Angeles County District Attorney because I care deeply about LA County and its criminal justice system, and because I can bring the experience, energy, and vision that is needed at this moment, both for the D.A.'s Office and for our County. What does Justice mean to me? It means holding criminals accountable and making our communities safer, reforming our criminal justice system, and bringing new leadership and accountability to the D.A.'s office.
San Gabriel Valley Tribune

Policy/Legal/Political

LA City Councilmember De León calls out city attorney over campaign donations
A Los Angeles City Council member is accusing the city's top lawyer of political favoritism - and slamming her tepid response to a violent altercation with an activist. LA City Council member Kevin de León and his aides have repeatedly appealed to City Attorney Hydee Feldstein Soto for legal protection from activists who follow the councilman and his staff around City Hall and to events. They've gotten nowhere with her.
Politico

A fix for CA homelessness? DAs say Prop 47 reform initiative offers one
A bipartisan coalition of California district attorneys vows that Proposition 47 will get the fix it needs if voters approve a new ballot initiative. Advocates hope to have the more than 500,000 petition signatures necessary to qualify the Homelessness, Drug Addiction, and Theft Reduction Act for the November ballot. The initiative would give judges and prosecutors more control in prosecuting crime, which advocates say will result in reductions in drug addiction, homelessness, and retail theft.
GV Wire

Governor outlines plan to curb retail theft
Gov. Gavin Newsom announced a package of bills that would address retail theft and burglary. The proposed measures are a good first step towards solving the challenges identified by League of California Cities members as a priority issue. According to the Public Policy Institute of California, rates of retail theft have increased in recent years, mostly in the state's largest counties. The Bay Area saw the largest increase in shoplifting.
League of California Cities

Is San Francisco's use of surveillance cameras working?
Two years ago, Mayor London Breed railed against limitations on the Police Department's ability to monitor live private security cameras, arguing that officers weren't able to access real-time video during high-profile incidents of mass retail thefts in Union Square. "There were multiple robbery crews hitting multiple stores; they couldn't even access those cameras, which is ridiculous," she said in December 2021.
San Francisco Chronicle

O.C. fairgrounds gun shows resume after judge overturned 2-year ban

Once at an existential crossroads - after state legislators enacted a ban on the sale of firearms and ammunition on state-owned property, first in Orange County and then statewide - gun shows have returned to the fairgrounds in Costa Mesa. The Crossroads of the West Gun Show reopened to the public on Friday and ran through Sunday, marking a return to the facility and a decades-long tradition at the site, after the last show closed its doors on Nov. 28, 2021.
Los Angeles Times

Sacramento County DA announces prosecution team dedicated to combating retail theft
Sacramento County's district attorney announced a new initiative on Tuesday he believes will eradicate retail theft, a recurring problem in the area and across the state. In a press conference in front of a South Sacramento Walmart Supercenter, Sacramento County District Attorney Thien Ho said his office has created an organized retail theft prosecution unit that includes both a full-time investigator and prosecutor.
FOX40 Sacramento

Los Angeles City/County

City-contracted employee fired after video shows them spraying homeless person with hose
A city-contracted employee was fired after a video showed him spraying a water hose toward an unsheltered person on the sidewalk in Los Angeles' Skid Row. Urban Alchemy, a nonprofit contracted by the city of Los Angeles to sanitize streets, said one of its employees was fired after the disturbing video circulated on social media.
NBC4 Los Angeles

LA Councilman John Lee calls for funding license plate reader pilot
Los Angeles City Councilman John Lee introduced a motion Tuesday seeking to fund an automated license plate reader pilot program in his 12th District, encompassing northwest San Fernando Valley neighborhoods. The motion, if approved by the full City Council, would instruct the Los Angeles Police Department, Bureau of Street Lighting and the Department of Transportation to begin identifying locations and the best method for camera installations.
mynewsLA.com

Los Angeles County to pay $5M settlement over arrest of election technology company founder
Los Angeles County on Tuesday agreed to pay $5 million to the founder and CEO of a software company who was briefly accused of stealing data on county poll workers in a case he said was pushed by conspiracy theorists. The Board of Supervisors voted without public discussion to approve the settlement of a lawsuit filed by Eugene Yu of Michigan-based Konnech Corp. over his 2022 arrest and prosecution, KNBC-TV reported.
AP

LA councilmembers de Leon and Park launch fight against copper wire thieves
Two Los Angeles City Council members on Tuesday, Jan. 23 stood on the Sixth Street Bridge and raised the alarm about a surge in copper wire thefts, announcing actions they hope will curb such crimes. In a joint news conference on the bridge, council members Kevin de León and Traci Park

announced their commitment to combating what they described as a "brazen" crime wave.
City News Service

Family files claim against LAPD for man hit, killed by officer misusing emergency lights
The family of Luis Espinoza, the pedestrian who was hit and killed by an LAPD cruiser that was inappropriately using its emergency lights last month, announced Wednesday that it's filed a claim against the department. The crash happened around 5 p.m. on Dec. 8, when Espinoza was crossing Century Boulevard at McKinley Avenue in the Green Meadows neighborhood of South Los Angeles. According to the LAPD, an officer with the department's Community Safety Partnership Bureau was driving east on Century with the lights on.
FOX11 Los Angeles

Serious crime still on the rise in Los Angeles
According to new 2023 police data, the City of Angels is still struggling to get the COVID-19 pandemic-era crime wave under control. Los Angeles homicides declined significantly, but serious "Part 1" crimes are up 1.9% and reported property rose 3.5% year over year. "We know that many in our city do not feel safe, which is why we are working urgently to address and prevent crime," said Mayor Karen Bass in a statement on the new figures. "We know that there is much more work to be done and we will continue our work to ensure all Angelenos feel safe."
The Black Chronicle

'Sophisticated Criminal' squatters turn Beverly Hills mansion into party pad as taxpayers foot the bill
A Beverly Hills mansion seized by the court from a fugitive surgeon behind California's biggest insurance fraud scheme is now a wild party house taken over by squatters, who are profiting off of regular ragers that are driving neighbors nuts. The Mediterranean estate at 1316 Beverly Grove, listed for $4.5 million has been occupied by "a very sophisticated criminal ring of squatters," the home's listing agent John A. Woodward IV tells Los Angeles magazine.
Los Angeles Magazine

Petition seeks to decertify LA County undersheriff for contradictory testimony on deputy gangs
An attorney is urging the state to decertify the second-highest-ranking official in the Los Angeles County Sheriff's Department, accusing her of committing perjury last year during a civil trial when she denied the existence of deputy gang activity at the Compton sheriff's station. Alan Romero, who represented sheriff's Lt. Larry Waldie in a failed $26 million whistleblower retaliation lawsuit against the Sheriff's Department, filed a petition this week with the California Commission on Peace Officer Standards and Training seeking decertification for Undersheriff April Tardy.
Orange County Register

California/National

Cal Lutheran faculty in revolt
While the brouhaha at Harvard has garnered international headlines, a smaller scale skirmish is happening closer to home at California Lutheran University in

Thousand Oaks. Earlier this week, the faculty assembly overwhelmingly passed a resolution of “no confidence” in President Lori Varlotta, asking the Board of Regents to replace her.
California Globe

LA Times staff stages mass walkout as threat of newsroom gut looms
Nearly every reporter at the Los Angeles Times staged a one-day strike Friday in protest of plans to cut as many as 100 journalists, or roughly 20% of the newsroom, according to reporting by the Times. "We've been at the bargaining table for 16 months," Pulitzer Prize-winning investigative reporter Matt Hamilton told the crowd of several hundred LA Times employees at a rally in Grand Park. "We've gone two years without raises. And we're asking for better. These job cuts will devastate - you all know this."
Courthouse News Service

Lawmakers call for DOJ investigation of pro-Palestinian vandalism at LA veterans cemetery
Sixteen Republican U.S. senators have urged the Department of Justice to investigate vandalism by pro-Palestinian demonstrators earlier this month at the Los Angeles National Cemetery, where more than 85,000 veterans are buried. During a Jan. 7 anti-Israel protest in Westwood, demonstrators spray painted the cemetery’s entrance with the Arabic word “Intifada,” meaning uprising or shaking off, “Free Gaza” and a red, upside-down triangle, a design included in the Palestinian flag, according to a video posted online.
Orange County Register

Crime

LASD busts separate 7-Eleven robbery crews; 1 linked to Compton bakery mob
A member of a crew suspected of robbing several 7-Eleven convenience stores across the Los Angeles area is also believed to have been one of the people who looted a Compton bakery following a street takeover earlier this month. The unidentified juvenile is one of seven teens connected to multiple 7-Eleven armed robberies that have taken place across Los Angeles County, including the cities of Los Angeles, Long Beach, Compton, Lakewood, Signal Hill and Carson.
KTLA5 Los Angeles

OC authorities arrest 48 accused of skimming from low-income Californians
Orange County authorities arrested 48 alleged members of a Romanian crime ring who allegedly stole hundreds of thousands of dollars from low-income Californians by skimming their state benefit cards. The suspects are accused of installing skimming devices in stores and using them to swipe the information off of EBT (electronic benefit transfer) cards, which low-income families use to buy food and baby formula.
ABC7 Los Angeles

In-N-Out to close only Oakland store as crime ravages California
Oakland's only In-N-Out Burger store is set to shut its doors in a few weeks due to a rise in crime in the city, the company's Chief Operating Officer Denny Warnick said in a statement on Sunday. The fast-food chain counts a total of 286 restaurants in the states of California, Nevada, Arizona, Utah and Texas. It said it has taken the decision to close the Oakland store, despite several

measures to make the restaurants safer for staff members and patrons.
Newsweek

Mob seen on video using government car in Southern California smash-and-grab
Owners of a small business in Bellflower are outraged after surveillance video captured more than a dozen suspects ramming a car into their store and stealing merchandise. According to the Los Angeles County Sheriff's Department, the brazen burglary occurred around 4:45 a.m. Sunday morning at Hype Kingdom, a Black-owned business that sells clothes, shoes and accessories in the 17200 block of Lakewood Boulevard.
KTLA5 Los Angeles

Articles of Interest

Judge orders the unsealing of divorce case of Trump special prosecutor in Georgia accused of affair
A judge on Monday ordered court records to be made public in the divorce involving a special prosecutor hired in the election case against Donald Trump and others and accused of having an affair with Fulton County District Attorney Fani Willis. The newly unsealed court records, however, didn't include any references to the affair allegations that have roiled the case that charges Trump and 18 allies of working to overturn his 2020 election loss in the state.
AP

The Los Angeles Innocence Project agrees to examine Scott Peterson conviction
The Los Angeles Innocence Project has agreed to examine the Scott Peterson case, its a major development for the 51-year-old who has steadfastly maintained for two decades he was wrongfully convicted of killing his wife, Laci, and their son, Connor. In court filings lawyers for the vaunted nonprofit, argued that new evidence supports Peterson's "claim of actual innocence" and "raises many questions into who abducted and killed Laci and Conner Peterson."
Los Angeles Magazine

Will LA Sheriff's deputies be banned from drinking while carrying a firearm?
In response to dozens of incidents over the years of law enforcement officers being intoxicated while carrying a gun, the Los Angeles County Board of Supervisors on Tuesday, Jan. 23, passed a motion asking Sheriff Robert Luna to consider banning deputies - whether on duty or not – from drinking while in possession of a firearm. The motion asks Luna to update a Los Angeles County Sheriff's Department policy "to include a strict prohibition against carrying firearms while consuming alcohol, on or off-duty" in addition to other measures.
Los Angeles Daily News

Convictions/Pleas/Sentences/Corrections

Sheriff's deputy pleads not guilty to helping colleague cover up crash
A Los Angeles County sheriff's deputy who was off-duty when he allegedly tried to cover up a fellow off-duty deputy's crash of a patrol vehicle in Stevenson Ranch pleaded not guilty Friday to criminal charges. Gregory Davis, 55, was charged last August with one felony count of conspiracy to obstruct

justice, one misdemeanor count of giving false information to a peace officer and three misdemeanor counts of delaying and/or obstructing an investigation.
City News Service

Wendy Carrillo, LA assemblywoman, pleads no contest to DUI charges
Assemblywoman Wendy Carrillo pleaded no contest Friday to a misdemeanor DUI charge stemming from her arrest last November. Carrillo - who was not in the Los Angeles courtroom - entered the plea through her attorney, Alex Kessel. "From the beginning, Wendy wanted to accept responsibility. She has," said Kessel according to reports.
FOX11 Los Angeles

Man sentenced to life plus 30 years in 2018 California spa bombing that killed his ex-girlfriend
A Southern California man was sentenced Friday to two concurrent life sentences, plus 30 years, for blowing up his ex-girlfriend's spa business with a package bomb in 2018, killing her and seriously injuring two others. Friday's hearing concluded a case against Stephen Beal, 64, that was fraught with missteps for investigators and prosecutors since the May 15, 2018 bombing in an Aliso Viejo spa, about 50 miles south of Los Angeles.
AP

Man pleads guilty to kidnapping teen whose 'Help Me!' sign led to rescue
A Texas man has pleaded guilty to kidnapping a 13-year-old girl who was rescued in Southern California when a passerby saw her hold up a "Help Me!" sign in a parked car. A statement Friday from the U.S. Attorney's Office in the Central District of California said Steven Robert Sablan, 62, of Cleburne, Texas, admitted in a plea agreement that he sexually assaulted the victim while driving her from Texas to California.
AP

As California closes prisons, the cost of locking someone up hits new record at $132,860
The cost of imprisoning one person in California has increased by more than 90% in the past decade, reaching a record-breaking $132,860 annually, according to state finance documents. That's nearly twice as expensive as the annual undergraduate tuition - $66,640 - at the University of Southern California, the most costly private university in the state.
Cal Matters

Member of South Los Angeles street gang sentenced to more than 15 years in prison in case involving fentanyl and firearm sales
A member of the South Los Angeles-based Florencia 13 street gang who admitted to distributing kilograms of methamphetamine and cocaine and to selling of dozens of firearms and 16 machine gun conversion kits, was sentenced today to 188 months in federal prison for distributing thousands of fentanyl pills, which weighed a total of nearly two pounds. Jose Luis Alonso, 28, a.k.a. "AK-47," of Huntington Park, was sentenced today by United States District Judge David O. Carter. Alonso has been in federal custody since October 2022.
U.S. Attorney's Office, Central District of California News Release

2nd former L.A. deputy sentenced to federal prison for abducting Compton skateboarder

A federal judge on Tuesday sentenced a former Los Angeles County sheriff's deputy to 18 months in prison for conspiring to violate the civil rights of a 23-year-old skateboarder. Christopher Hernandez is the second former sheriff's deputy sentenced to prison in connection with the case of Jesus Alegria, who accused the two deputies of kidnapping and abusing him after he yelled at them to stop picking on teens in a Compton park.
Los Angeles Times

Inglewood mayor's daughter sentenced to prison in attack on landlord
Inglewood Mayor James Butts Jr.'s 37-year-old daughter was sentenced Thursday to four years in state prison for her conviction on assault and conspiracy charges stemming from allegations that she masterminded an attack on her landlord in South Los Angeles nearly eight years ago. Superior Court Judge Mildred Escobedo noted that she considered the defense's request for probation for Ashley Melissa Butts, who had no prior criminal history.
mynewsLA.com

California man found guilty in the road rage murder of a 6-year-old on his way to kindergarten
A Southern California man was convicted of murder Thursday in the road rage shooting death of a 6-year-old boy who was killed after his mother gave another driver the middle finger. Marcus Anthony Eriz, 26, of Costa Mesa, faces up to 40 years to life in prison for the May 21, 2021, death of Aiden Leos, the Orange County District Attorney's Office said.
NBC News

For more ADDA news and information, visit www.laadda.com.

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